

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of
Connect America Fund

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WC Docket Nos. 10-90 and 14-58

**REQUEST FOR CONFIDENTIAL TREATMENT OF SPECIFIED INFORMATION IN
2017 ELIGIBLE TELECOMMUNICATIONS CARRIER ANNUAL REPORTS**

June 27, 2017

BRIGGS AND MORGAN, P.A.
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For the reasons stated herein, Cellco Partnership d/b/a Verizon Wireless, on behalf of itself and its wireless subsidiaries and affiliates designated as eligible telecommunications carriers (“ETCs”) (“Verizon Wireless” or the “Company”), hereby requests that the Outage Reports and Complaints per 1,000 Handsets information filed herewith in the Form 481 2017 Eligible Telecommunications Carrier Annual Reports listed below be treated as confidential and not routinely available for public inspection pursuant to 47 C.F.R. §§ 0.457(d) and 0.459.¹ Redacted copies of the Form 481s are submitted herewith for inclusion in the public record.

The Company’s request for confidential treatment applies to the 2017 Eligible Telecommunications Carrier Annual Reports submitted for the carriers and study areas listed below:

| Study Area Name | State | SAC |
|---|--------------|------------|
| Iowa RSA 7 Limited Partnership | IA | 359070 |
| Iowa 8 Limited Partnership | IA | 359071 |
| North Central RSA 2 of North Dakota Limited Partnership | ND | 389006 |
| Northwest Dakota Cellular of North Dakota LP | ND | 389007 |
| North Dakota RSA 3 Limited Partnership | ND | 389008 |
| Badlands Cellular of North Dakota Limited Partnership | ND | 389009 |
| North Dakota 5 - Kidder Limited Partnership | ND | 389010 |
| St. Lawrence Seaway RSA Cellular Partnership | NY | 159014 |
| New York RSA 2 Cellular Partnership | NY | 159015 |
| WI RSA #1 Limited Partnership | WI | 339023 |

The Outage Reports and Complaints per 1,000 Handsets information (collectively, the “Confidential Information”) set forth in the enclosed Form 481 2016 Eligible Telecommunications Carrier Annual Reports all qualifies as “commercial or financial information” that “would customarily be guarded from competitors,” regardless of whether or

¹ The Company also considers Unfulfilled Requests for Service information in each Form 481 to be confidential, but in all of the Company’s reports being filed this year, there are no Unfulfilled Requests for Service, so no protection is sought for that information at this time.

not such materials are protected from disclosure by a privilege. *See* 47 C.F.R. § 0.457(d); *see also Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992) (“[W]e conclude that financial or commercial information provided to the Government on a voluntary basis is ‘confidential’ for the purpose of Exemption 4 if it is the kind that would customarily not be released to the public by the person from whom it was obtained.”). Disclosure of this sensitive Confidential Information could place Verizon Wireless at a competitive disadvantage that warrants protection under 47 C.F.R. § 0.459. Verizon Wireless would be placed at a significant disadvantage if the Confidential Information were revealed to competing service providers, who stand to benefit competitively from any knowledge of the Confidential Information included in the Form 481 reports. If the Confidential Information were disclosed to competitors of Verizon Wireless, they could use such information to compete against Verizon Wireless or take other action that would place it at a substantial competitive disadvantage. The Confidential Information is not and has not previously been made available to the public, and Verizon Wireless has taken internal precautions to ensure that such information is not disclosed to the public.

In particular, the highly sensitive network outage information required by 47 C.F.R. § 54.313(a)(2) is competitively sensitive. Rule 54.313(a)(2) was modeled on and refers to the outage reporting requirements in 47 C.F.R. Part 4. When it adopted the Part 4 reporting requirements, the Commission found that such data presents national security and competitive concerns and should be deemed confidential when filed with the Commission. *In the Matter of New Part 4 of the Commission’s Rules Concerning Disruptions to Communications*, ET Docket No. 04-35, Report and Order and Further Notice of Proposed Rulemaking, 19 FCC Rcd 16830, ¶ 3 (2004) (“This data, though useful for the analysis of past and current outages in order to

increase the reliability and security of telecommunications networks in the future, could be used by hostile parties to attack those networks, which are part of our Nation's critical information infrastructure. The disclosure of outage reporting information to the public could present an unacceptable risk of more effective terrorist activity. We therefore will treat the information that will be provided as confidential.”)

Accordingly, the Confidential Information in the Form 481s warrants protection from public disclosure pursuant to 47 C.F.R. §§ 0.457(d) and 0.459.

Respectfully submitted,

June 27, 2017

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By 

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